

Message Text

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ACTION AF-08

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FM AMEMBASSY NAIROBI

TO SECSTATE WASHDC PRIORITY 1747

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E.O. 11652: N/A

TAGS: OGEN

SUBJECT: DIPLOMATIC TITLES

1. THE DEPARTMENT'S ACTION AND GUIDANCE IS REQUESTED REGARDING THE FOLLOWING.

2. IN ORDER TO OBTAIN FULL DUTY-FREE ENTRY PRIVILEGES AND ADDITIONAL PRIVILEGES SUCH AS NO FEE DIPLOMATIC AUTOMOBILE LICENSE PLATES, NO FEE DRIVERS LICENSES, REFUND OF DUTY ON GASOLINE, ETC., AN OFFICER MUST HAVE A DIPLOMATIC TITLE IN ADDITION TO A DIPLOMATIC PASSPORT TO SATISFY GOK REQUIREMENTS.

3. A FOREIGN SERVICE RESERVE OFFICER ASSIGNED TO THIS EMBASSY HAS RAISED OBJECTION TO THE FACT THAT HE DOES NOT HAVE THE SAME PRIVILEGES WHICH ABOUT HALF THE OFFICERS HAVE WHO ARE ASSIGNED HERE WITH DIPLOMATIC TITLES. ALTHOUGH HE IS AWARE OF 3 FAM 611.3A "OFFICIAL NEED AS A BASIS FOR GRANT AND USE OF TITLES", HE HAS REFERRED TO SECTION 526 OF THE FOREIGN SERVICE ACT, AS AMENDED, WHICH STATES "A RESERVE OFFICER SHALL, EXCEPT AS OTHERWISE PROVIDED IN REGULATIONS WHICH THE SECRETARY MAY PRESCRIBE, RECEIVE ALL THE ALLOWANCES, PRIVILEGES, AND BENEFITS WHICH FOREIGN SERVICE OFFICERS ARE ENTITLED TO RECEIVE IN ACCORDANCE WITH THE PROVISIONS OF TITLE IX."

4. THE POLICY AT THIS EMBASSY HAS BEEN THAT IN THOSE LIMITED OFFICIAL USE

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FEW INSTANCES WHEN AN OFFICER HAS BEEN ASSIGNED WITHOUT

A DIPLOMATIC TITLE AND HIS OFFICIAL DUTIES REQUIRE THAT HE HAVE ONE, IT HAS BEEN REQUESTED IN EACH INSTANCE AND THE DEPARTMENT HAS ISSUED AN APPROPRIATE DIPLOMATIC TITLE.

5. AT PRESENT THERE ARE 29 STATE OFFICERS AND THREE USIS OFFICERS WITH DIPLOMATIC TITLES ASSIGNED TO THE EMBASSY AND THEY HAVE FULL DIPLOMATIC PRIVILEGES.

6. THERE ARE 17 STATE OFFICERS, AND TWO REGIONAL MARINE OFFICERS, WHO HAVE DIPLOMATIC PASSPORTS BUT WHO DO NOT HAVE DIPLOMATIC TITLES. THERE ARE ALSO SIX STATE DEPARTMENT EMPLOYEES, THREE MILITARY ENLISTED MEN, AND SIX MARINE SECURITY GUARD ENLISTED MEN WITH OFFICIAL PASSPORTS. IN ADDITION, THERE ARE FOUR USIS OFFICERS WITH DIPLOMATIC PASSPORTS BUT WITHOUT DIPLOMATIC TITLES. ALL OF THESE OFFICERS, EMPLOYEES AND MILITARY PERSONNEL ARE ONLY ACCORDED FIRST ENTRY DUTY FREE PRIVILEGES. INCLUDED IN THIS CATEGORY IS THE FOREIGN SERVICE RESERVE OFFICER WHO HAS RAISED THE OBJECTION SET FORTH IN PARAGRAPH 3 ABOVE.

7. THE TWO REGIONAL MARINE OFFICERS WHO WERE UNTIL RECENTLY ASSIGNED TO THE EMBASSY IN ADDIS ABABA HAD DIPLOMATIC STATUS, BUT NOT DIPLOMATIC TITLES, AND WERE ABLE TO OBTAIN DIPLOMATIC AUTOMOBILE LICENSES IN ADDIS ABABA. THEY WERE INCLUDED UNDER A STATUS OF FORCES AGREEMENT OR SIMILAR AGREEMENT. THEY NOW BELIEVE THEY ARE ENTITLED TO FULL DIPLOMATIC PRIVILEGES HERE. ONE RMO HAS PURCHASED AN AUTOMOBILE LOCALLY AND WANTS THE EMBASSY TO OBTAIN DIPLOMATIC AUTOMOBILE LICENSE PLATES, ETC., NOW. THE OTHER RMO'S CAR WILL ARRIVE IN ABOUT A WEEK. IF TITLES ARE NOT FORTHCOMING, THEY WILL BE REQUIRED TO PURCHASE LICENSE PLATES, WILL NOT RECEIVE GASOLINE REFUNDS, ETC.

8. ACTION REQUESTED: PLEASE ADVISE THE EMBASSY PROMPTLY WHETHER OR NOT DIPLOMATIC TITLES WILL BE ISSUED TO ALL THOSE PERSONS DESCRIBED IN PARAGRAPH 6 ABOVE. IF SO, NAMES WILL BE SUPPLIED BY TELEGRAM TO FACILITATE EARLY ISSUANCE. THE CONCERNED U.S. MARINE OFFICERS ARE MAJOR GEORGE ESCHENFELDER AND CAPTAIN CHARLES BELLIS.
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9. IF THEIR REQUEST IS APPROVED, THE PERSONS INVOLVED WILL NOT BE PLACED ON THE KENYAN DIPLOMATIC LIST.

MARSHALL

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